

IN THE PARSI CHIEF MATRIMONIAL COURT AT BOMBAY

PARSI SUIT NO. 32 OF 2006

Farzana Neville Nakra.

.. Plaintiff No.1.

and

Neville Sam Nakra.

.. Plaintiff No.2.

....

Mrs. Armaity S. Khushrushahi for Plaintiff No.1.

M/s. A.N. Karbhari for Plaintiff No.2.

.....

CORAM : DR. D.Y. CHANDRACHUD,J.

1ST DECEMBER, 2006.

P.C. :

1. The parties before the Court were married on 23rd March 2002 according to Parsi Zoroastrian rites and customs. The Second Plaintiff was working in Dubai at the time of marriage and continues to work and reside there. The First Plaintiff is also employed in Dubai where she is residing. Serious disputes arose between the parties and since May 2005 they have resided separately in Dubai. Both the parties are before the Court and have informed the Court that a reconciliation is not possible. The parties have resided together for a period of over one year before the institution of the suit.

2. The First and Second Plaintiffs have tendered their affidavits in lieu of examination in chief.

3. Having regard to the fact that a reconciliation is impossible between the parties, there is no reason as to why a decree for divorce by mutual consent should not be passed under Section 32-B of the Parsi Marriage and Divorce Act, 1936. The Court has been informed that the parties have not made any provision for alimony. I am satisfied that the consent of the parties to a decree for divorce by mutual consent has not been obtained by force, fraud or undue influence.

4. In these circumstances, the suit shall stand decreed in terms of prayer Clauses (a).
